

# The Topeka State Journal.

10 CENTS A WEEK.

TOPEKA, KANSAS, TUESDAY EVENING, APRIL 30, 1895.

TWENTY-THIRD YEAR.

## WHEW! WHAT A LIE!

Exclaimed Secretary of State  
W. C. Edwards

When He Read F. C. Mont-  
gomery's Affidavit

Concerning the State Officer  
Drunk on Kansas Avenue.

IT WAS MONTGOMERY

Who First Told Secretary  
Edwards the Story

Practically as Published in the  
"Journal."

HIS AFFIDAVIT FALSE

Or His Story to Secretary Ed-  
wards False.

In a Question of Honesty Mr.  
Edwards Unimpeachable.

State Treasurer Otis L. Atherton appears to have put on the coat which was made to fit a drunken state officer and proclaims himself the man indicated in the STATE JOURNAL's article of Thursday, April 25th. The JOURNAL did not publish the name of the state officer who was drunk on Kansas avenue on Sunday, April 21st, but Mr. Atherton says he is the man "who was meant." This is Mr. Atherton's affair, and if he considers himself the state officer indicated, he is justified in producing whatever evidence he can to disprove the statements.

Mr. Atherton has published in this morning's paper three affidavits to prove that he was the state officer referred to. State Senator Sterne and Mayor Fellows, who are on Mr. Atherton's bond, publish affidavits that Mr. Atherton was not drunk on the afternoon of Sunday, April 21st.

The most remarkable affidavit, however, is one made by Frank C. Montgomery, Topeka correspondent of the Kansas City Journal, and one of the owners of the official state paper.

Mr. Montgomery "assumes" a great deal. His affidavit is as follows:

**Montgomery's Affidavit.**  
State of Kansas, Shawnee County, ss.:  
F. C. Montgomery, being first duly sworn, on his oath deposes and says: I assume that I am the Kansas City newspaper correspondent alluded to in an article in last Thursday's Topeka Journal. At about fifteen minutes to 6 o'clock on Sunday afternoon, the 21st instant, I met State Treasurer Atherton about in front of George Crane's establishment on Kansas avenue. He was hurrying down the street at great speed, when I hailed him with the question: "Hello, where are you going so fast?"

Without stopping he responded: "I have got to catch the Santa Fe train for Atchison."

"Better take a street car," I responded, "or you won't make it."

"There was no street car on the avenue, and Mr. Atherton hurried on with the remark that he would take one if it overtook him. There is absolutely no truth in the statement that I attempted to get him on a passing street car. I have known Mr. Atherton more or less intimately for about eighteen years. There was nothing in his appearance on the Sunday in question which led me to even question his condition as to sobriety. He had one eye shot out in battle and can see but dimly with the other, and it is known to every man who knows him that his walk is not free from that indecision always to be found in the partially blind, but I am certain he did not stagger while in my sight, nor did he show anything in his gait out of his accustomed manner."

I have certainly reported nothing contrary to this statement to any one, and am totally at loss to know how the story started that I believed Mr. Atherton was intoxicated, and that I endeavored to save him from public exposure.

Subscribed and sworn to before me, this 29th day of April, 1895.  
F. C. CRANE, Notary Public.  
Term expires February 29th, 1896.

The real facts in the case are that Frank Montgomery not only told a different story from that given in his affidavit, but he told it to Secretary of State W. C. Edwards, who says the story told him by Mr. Montgomery was practically the same as that published in the STATE JOURNAL.

A STATE JOURNAL reporter called Secretary of State Edwards out of an executive council meeting yesterday afternoon and questioned him about Mr. Montgomery's statement to him.

"Mr. Edwards, did Frank C. Montgomery tell you that State Treasurer Atherton was drunk?"

To this Mr. Edwards replied: "Yes."

The reporter then asked: "Was the story told you by Mr. Montgomery about Mr. Atherton's being drunk at all like that published in the STATE JOURNAL?"

"Yes, the story as published was practically the same as that told me by Montgomery. He told me the story practically the same as it was published."

The reporter then took from his pocket the original affidavit made by Mr. Montgomery, and handed it to Secretary of State Edwards to read.

Mr. Edwards read it very carefully, but said nothing until he got down to the last paragraph, when he ejaculated: "WheW! what a lie!"

Since the story has obtained publicity Secretary of State Edwards has told several persons that Frank Montgomery

originally told him the story about Treasurer Atherton being drunk. It will now be in order for Treasurer Atherton to have Mr. Montgomery make another affidavit and tell which time he told the truth.

The Affidavits.

The following affidavits are offered by State Treasurer Otis L. Atherton, as proof that he was not drunk on the afternoon of Sunday, April 21st:

**Sterne's Affidavit.**  
State of Kansas, Shawnee County, ss.:  
I, W. E. Sterne, being first duly sworn, declare that I am a resident of the city of Topeka and have been for fifteen years. I know Otis L. Atherton, who is now treasurer of Kansas.

On Thursday, the 25th day of April, 1895, THE STATE JOURNAL contained an article in reference to a state officer being intoxicated on the streets of Topeka on Sunday, the 21st day of April, 1895, and since the publication of said article I have been informed that the said Atherton was the party referred to. The article said that the state officer at the time referred to was endeavoring to reach the Santa Fe train that leaves Topeka at 6:05 p. m. On said Sunday, April 21st, 1895, Otis L. Atherton came to my house between 4 o'clock and 4:30 o'clock p. m., and remained there until at least 5:35 p. m. During the time he was there Mayor Fellows came in, and we talked together at the foot of the stairs opening on Kansas avenue until the said Atherton left. I am positive about the time he left, for the reason I was sitting on the steps beside Atherton and he looked at his watch and said he would have to go because he had to catch the Santa Fe train for Atchison. He being very near sighted I noticed his watch as he put it close to his one eye and know that the watch showed the time to be half past five. After looking at his watch he immediately got up and went out of the door. In a moment afterwards he returned to the door and spoke of something he had forgotten to mention. He came in and then went up the adjoining stairway and in a very short time he came down the stairway with his overcoat and valise. He stepped to the edge of the sidewalk and looked up the street as though he was looking for a car, and then turned and walked rapidly toward the Santa Fe depot. I most earnestly desire to say that while said Otis L. Atherton was in my house he did not exhibit any sign of intoxication or of having been drinking anything intoxicating. I believe he was absolutely a sober man when he left there, which could not have been over three or four minutes from the time he was reported as being in a grossly intoxicated condition.

W. E. STERNE.  
Subscribed and sworn to before me this 29th day of April, A. D. 1895.  
F. S. CRANE, Notary Public.  
Term expires February 29, 1896.

**Fellows' Affidavit.**  
State of Kansas, Shawnee County, ss.:  
I, C. A. Fellows, being first duly sworn, declare and say that I have read the affidavit made by Senator Sterne, and that I am the Mayor of Topeka referred to in that affidavit.

I met Otis L. Atherton at the house of Senator Sterne at the time and place referred to in his affidavit. I was with Mr. Atherton for about an hour immediately before he started for the Santa Fe depot to take a train for Atchison. I sat very close to him and there was not the slightest taint of liquor upon his breath. I am positive that he was absolutely sober, and I do not think he had drunk a drop during the day. There was nothing in his manner or talk that could lead to any other conclusion. He talked to us long after he had intended and was to go away to reach his train in a great hurry. I know Mr. Atherton intimately and am certain that there was nothing unusual in his conduct on the day THE STATE JOURNAL charges, unless it may have been his rapid walk in the direction of the depot.

C. A. FELLOWS.  
Subscribed and sworn to before me, this 29th day of April, 1895.  
F. S. CRANE, Notary Public.  
Commission expires February 29, 1896.

**J. C. HOLLAND, STATE ARCHITECT.**  
The Executive Council Chooses Him in Place of T. H. Lescher.

The state executive council, at its meeting held at 4 o'clock yesterday afternoon, elected J. C. Holland to the position of state architect, and the members of the board of public works agreed to make Mr. Holland the regular state architect.

The executive council refused to approve Mr. Lescher's bond, and the members of the state board of public works were forced to agree on someone whose bond would be approved.

Some of the members of the executive council favored the election of J. G. Haskell, the former architect, but Mr. Holland was finally agreed upon. It is understood that the members of the state board of charities will consent to Mr. Holland as the supervising architect for the buildings that board is to construct.

Mr. Holland will file his bond today and it will be approved at a special meeting of the executive council tomorrow.

**Wichita Bank Going to Quit.**  
The Citizens' Bank at Wichita, one of the largest banks of that city, which has had a capital stock of \$200,000, has notified the state bank commissioner that it is going out of the banking business and will receive no more deposits. Its depositors will have their checks honored through the Kansas National bank and the Citizens' Bank will be closed just as soon as its affairs can be straightened out.

**Railroad Inspectors Inspecting.**  
The state board of railroad assessors went to Kansas City this morning over the Union Pacific and will spend today inspecting the Union Pacific shops at Armstrong. When that is finished they will inspect the Santa Fe between Holiday and Topeka, and finish their work by the inspection of the Santa Fe shops here.

**Governor Morrill's Work.**  
A Hill City paper says that under the present state administration there are more jobs in Hill City than could be seen "by the big Holton telescope."

## SHE GIVES IN.

Nicaragua Accedes to the Com-  
promise Proposition.

Agrees to Pay 15,500 Pounds  
in London.

MUST LEAVE CORINTO.

Will Pay 15 Days After Eng-  
land Does So.

Nicaragua Shifts the Blame on  
Great Britain.

MANAGUA, Nic., April 30.—The Nicaraguan government has formally decided to accede to the compromise proposition of the settlement of the pending troubles and this decision has been communicated to the authorities at Washington and London. According to the proposition Nicaragua agrees to pay the £15,500 in London fifteen days from the time the British ships leave the harbor at Corinto.

It now remains for Great Britain to agree to this condition. The government's course is regarded as shifting on Great Britain a further responsibility for the trouble.

The most positive assurances of the prompt payment of the money have been given, so that there may be no question of uncertainty on this point.

**UNIFORM RANK K. P.**  
The First Meeting of the Supreme Council Meets at Indianapolis.

INDIANAPOLIS, April 30.—Twenty-four states were represented at the first meeting of the supreme council, Uniformed Rank, Knights of Pythias of the world, which began in Castle hall at 9:30 o'clock today.

There were in attendance the supreme chancellor and other officials, many representatives of supreme lodges, the brigade commanders of the various states and the members of supreme tribunals.

The supreme council is the legislative power of the rank. This is the first meeting since the uniform rank was authorized to be under control of its own members. General James Carnahan, who is at the head of the rank, welcomed the delegates to the convention and Supreme Chancellor Rich of Ohio responded.

The report of General Carnahan was then read. It called attention to the rapid growth of the uniform rank, and made recommendations for the future government of the rank. The report was referred to a committee.

Committees were then appointed as follows: Rules and regulations, finance, revenue, appeals and grievances, mileage and per diem and law.

The convention fixed a basis on mileage and per diem for the representatives and accepted and approved the bond of Wm. J. McKee of Indianapolis, assistant general of the rank, who will hereafter handle all the funds of the uniformed rank.

The committee on the distribution of General Carnahan's address was not ready.

Tonight the delegates to the convention will witness the exemplification of the proposed ritual of the uniformed rank at the opera house.

**A SOLID GOLD WATCH.**  
G. T. Huffman Finds One and Pawns It, Thereby Getting Into Trouble.

G. T. Huffman was brought to Topeka last night on a warrant charging him with disposing of property which was not his own. A week ago Sunday he found a solid gold watch on Kansas avenue. The watch was lost by Miss Mamie Callahan, a niece of Pete Callahan, as she was returning from church. Huffman, it is claimed, was walking directly behind Miss Callahan and must have known who the watch belonged to. The next day without making any effort to locate the owner, he pawned the watch at Morrison's jewelry store for \$7.70 and skipped town.

Miss Callahan advertised for the watch all week, but the officers finally located the watch at the jewelry store. Huffman was known to be at Herrington and after some correspondence he sent Sergeant Donovan the pawn ticket for the watch.

A warrant was issued by County Attorney Stafford and an officer was sent to Herrington last night, and got Huffman. The watch when new cost \$75. Miss Callahan lives at 210 Crane street.

**ECKSTEIN STILL SICK**  
Which Delayed the Examination of M. A. Householder.

On account of the absence of Representative Otto E. Eckstein the asylum investigating committee did not reassemble until 2 o'clock this afternoon.

Senator M. A. Householder is the man now before the committee for investigation, and he is charged principally with being too familiar with the female employees of the asylum and other state institutions he has visited as a member of the board of charities.

At the opening Judge Webb, for the defense, arose and moved to quash the entire proceedings for the present or until the supreme court should have an opportunity to pass on a question he has presented to it regarding the legality of the investigation.

He held that the charges were entirely against Senator Householder's private character and not against his action in any official capacity. Then followed a little discussion of technicalities and the motion being overruled, Dr. McCassey was put upon the stand, and is telling about Mr. Householder's alleged shortcomings.

Senator Householder seemed anxious to have the investigation go on.

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## WILL STOP THE WHEELS.

Judge Hazen Declares the State Printing Office Must Close July 1.

Judge Hazen has decided that no bid can now be entertained for the state printing establishment, on the ground that no title can be passed pending the litigation, unless the parties to the case consent.

A week ago Receiver Hubbard opened the single bid for the plant, \$12,000 offered by State Printer Elect Major J. K. Hudson.

In open court yesterday State Printer Snow asked that now bids be received and said, as an evidence of good faith, he would offer \$20,000 for the plant and business, immediate possession to be given.

It was then Judge Hazen made the above announcement. "Furthermore," said the court, "after July 1st the establishment will be closed and not a wheel be allowed to turn. The case will be tried at the September term."

This puts a new feature to the case, and will apparently compel Major Hudson to arrange for the state work independently of the present plant and also compel State Printer Snow to do likewise, if the latter contests Hudson's claim—a matter on which Mr. Snow says he has not yet determined how he will proceed.

**A BLOODY AFFRAY.**  
Another Shooting in Louisville on Account of a Woman.

LOUISVILLE, Ky., April 30.—There was a bloody shooting affray in this city at 1025 Madison street this morning, in which Arch Brown was shot and killed by Fulton Gordon. Gordon was shot by Brown and Mrs. Gordon was shot and killed by her husband.

Arch Brown is a son and private secretary of Gov. Brown of Kentucky. The Gordons are highly connected also. Gordon is under arrest.

**LAST DAY IN COURT.**  
Tomorrow Justice Horton Voluntarily Quits the Bench for Private Life.

This is Chief Justice Albert A. Horton's last day on the Kansas supreme bench. Today he is chief justice of the supreme court of the commonwealth, but tomorrow he will be a private citizen.

His resignation, which he placed in Governor Morrill's hands a few weeks ago, takes effect at 2 o'clock tomorrow.

Judge Horton will hereafter be found at the Central National bank building, where the new law firm, of which he is a member, will have its offices.

Judge David Martin, who is to succeed Judge Horton, is at his home at Atchison, but he is expected to come to Topeka tomorrow. Judge Martin will preside at the May term of court which will convene next Tuesday.

**TO TAKE LESS POWER.**  
The Council Will Take 500 Horsepower From the New Company.

There was a conference between the mayor and council and the managers of the upper dam company last night. The business which called them together was the consideration of the contract for 600 horsepower, already passed by the council but not yet signed by the mayor.

The condition of the city finances has rather frightened the council, and they are fearful that if the contract is made the city will find itself unable to pay so large a sum of money as the contract would call for, \$24,000 per annum.

The council decided to make a compromise proposition. That the city contract for 500 horse power and that the contract be amended to read that way. This is a difference of \$4,000 a year.

Mr. Fitzgerald of the dam company has telegraphed the eastern stockholders and he will soon know whether or not they will accept the amended contract.

**A LETTER FROM PARIS**  
A French Doctor Writes to Know About the Hypnotism Case.

The summer county hypnotic murder case already has a world wide reputation.

Chief Justice Horton today received a letter addressed to the president of the supreme court of Kansas.

The letter was from a man who signs himself Doctor Angerville, 34 Route, Nationale, Paris.

The Paris physician wrote as follows in French:

It was translated by Mr. V. T. Graves, deputy clerk of the court, who reads French easily:

"I read in the Echo of Paris the sentence to death of Mr. Gray. Permit me to send you a few hasty words. I have occupied myself with magnetism for twenty years. Gray is not guilty. One could not seriously hypnotize so great a distance, it may be that McDonald was subject to hallucinations though I cannot accuse him of that, not knowing enough of the affair, and that under such cerebral influence, he believed himself compelled to commit the murder. But I repeat Mr. Gray ought not to be condemned to death under such circumstances."

**FLOUR MILLS COMBINE.**  
Five Large Concerns in Milwaukee Are Merged Into a Trust.

MILWAUKEE, April 30.—Five large flour milling plants of Milwaukee were today merged into a combination or trust, with the object of reducing expenses by doing away with eastern representatives and traveling agents.

The mills in the combine are the Sanderson Milling Co., Phoenix Mill, the Daisy Mill, owned by the Ailsa Co., Manegold Milling Co., B. Stern & Co.'s Jupiter mills and the Magdeburg Co. Only two plants are out of the combine, viz: Raist, Kraus & Co. and the Eagle mills of J. B. A. Kern. The output of the mills will be regulated according to the requirements of trade.

## BOUND TO ACTION.

Missouri Democratic Represent-  
tatives for Free Silver.

Hold a Caucus and Pass a 16 to  
1 Resolution.

WILL STAND BY IT.

Central Committee Asked to  
Call a Convention.

It Will be to Agree on a Finan-  
cial Policy.

St. Louis, April 30.—A special to the Republic from Jefferson City, Mo., says: Thirty-five of the fifty-eight Democratic members of the state house of representatives met in a caucus at a late hour last night and adopted the following resolution:

Resolved, That we the Democratic members of the house of representatives, thirty-eighth general assembly, favor the free coinage of silver at a ratio of 16 to 1.

The vote on the resolution stood, ayes 22, nays 9, not voting 4.

An effort was made to have the body adjourn as a caucus and vote as an assembly of individual Democrats, but they who had caused the caucus to be assembled, voted the proposition down and bound the members to the caucus action. The whole trend of the caucus was to precipitate a discussion which will probably result in a state convention.

Julian of Kansas City presided over the meeting and stated at the beginning the purpose of the call.

Singer of Gentry county sprung the resolution forthwith and the fight was on.

Buckner of Pike county declared that the sole purpose of the resolution was to force a state convention and that it must inevitably result in splitting the party. The fight against the resolution was taken up by Rothwell of Randolph, Pritchett of Howard, Armstrong of Henry, and Dr. Bell of St. Louis.

As a final result, Pollack of Dunklin county offered a supplementary resolution inviting the senators and state officers to be present at a second caucus to be held Wednesday next and unite in a call on the state Democratic central committee to call a convention at a time to be fixed by the state committee for agreeing upon a financial policy for the Democrats of Missouri.

This resolution created the wildest uproar and in order to prevent a general break, it was withdrawn and the other adopted.

**FOR UNLIMITED COINAGE.**  
Democratic Central Committee of Saline County, Mo., Declare For It.

MARSHALL, Mo., April 30.—The Democratic central committee of Saline county has passed a resolution in favor of the free and unlimited coinage of silver and gold at a ratio of 16 to 1 by the government of the United States and calling a convention of the Democrats of the county to meet in Marshall, Mo., May 27, to express the sentiment of the party on this question.

This resolution also favors the calling of a state convention in the near future for the purpose of making public a declaration as to the party policy for the great campaign of 1896 and to repudiate the gold-bonded debt policy of the Cleveland administration.

**MANY ARMY TRANSFERS.**  
Recent Promotions Cause Generals to Be Changed From Present Headquarters.

WASHINGTON, April 30.—The expected important transfers arising out of the recent army promotions in the higher ranks were made today by Secretary Lamont.

Major General Ruger has been transferred from Chicago to Washington for special duty with the secretary of war; Major General Merritt from St. Paul to Chicago; Brigadier General Brooke from Omaha to St. Paul; Brigadier General Coppinger to Omaha, relieving General Brooke; Brigadier General Wheaton from San Antonio, Tex., to Denver in place of General McCook, retired, and General Bliss to San Antonio, Tex.

**SAY TILE IS REAL ESTATE.**  
A Brick and Tile Company Claims Exemption From Income Tax.

MASON CITY, Ia., April 30.—An interesting point with reference to the income tax has come up here. The Mason City Brick and Tile company in making its return claims exemption under the supreme court decision as all its income was derived from real estate in the shape of brick and tile.

The collector has refused to allow the exemption, and the point may be referred to the courts.

**SPAIN WILL JOIN IN.**  
She Too Will Protest Against Terms of China-Japan Peace.

PARIS, April 30.—It is reported here that Spain will associate herself with Russia, Germany and France in the protest against the terms of peace arrived between China and Japan, in regard to the cession of territory and extraordinary privileges accorded to Japanese traders in China.

**COAT MAKERS STIRKE.**  
Three Hundred of Them Go Out Because of Sweating System.

BALTIMORE, April 30.—The three hundred coat makers of this city, members of the United Garment Makers' of America, opposed to the sweating system, are out on a strike.

S. Vonierhaer sold liquor without a government license in Kansas City, Kas., and he admitted it before Judge Foster today and was fined \$20 and costs.

## CONGREGATIONAL WOMEN.

Their Meeting Begins Tonight and Precedes the General Association.

The women's missionary organizations of the Congregational churches of Kansas hold their opening meeting in the First Congregational church this evening. Addresses will be made by Miss Cooper and Mrs. S. D. Storrs of this city, Mrs. D. H. Ogden of Subetha, and Mrs. Moses Smith of Chicago. There will be music by a ladies' quartette.

Wednesday, morning, afternoon and evening, the foreign department will be heard from through ladies representing every section of the state. Mrs. Gregory of this city and Rev. W. L. Sutherland of Kansas City will speak in the morning. Dr. Cordley, Mrs. Hobbs and Mrs. Moses Smith will speak in the afternoon. Mrs. Geo. A. Eddy of Leavenworth is detained on account of the death of her mother, and her place Wednesday afternoon in the Young People's hour, will be taken by her son Sherwood Eddy, a graduate of Yale, and a candidate for the foreign field. The meetings are public.

**FORGOT ITS OBJECT.**  
W. C. T. U. Glad Lotteries Are Suppressed, but Says Nothing of Saloons.

WASHINGTON, Kans., April 30.—The semi-annual meeting of the Fifth district W. C. T. U., which has concluded its labors here, adopted among other resolutions, the following:

"That we wish to express our appreciation of the action taken by our state officials for the suppression of lotteries in the state."

Although there were nine other resolutions, none of them referred to the liquor traffic or the violation of the law in Kansas, though the object of the W. C. T. U. is to advance temperance.

**TRAMPS WITH JEWELRY.**  
Three of Them Found in a Box Car With Goods Supposed to be Stolen.

Three young tramps were arrested in a Union Pacific box car last night by officers McElroy and Pinkerton. They gave their names as C. A. Gray, age 23; Frank Sweeney, 18, and James A. Wilson, 15. When searched at the police headquarters they were found to have several razors and considerable jewelry. Among the latter articles were several breast pins, gold rings and some scarf pins that appeared to be valuable. It is supposed that they stole them somewhere, and they will be held a day or two until the officers from neighboring towns are heard from.

**EX-MAYOR GRANT WEDS.**  
He Is Married to the Daughter of Senator Murphy.

WASHINGTON, April 30.—The wedding of Mr. Hugh J. Grant, ex-mayor of New York and Miss Julia M. Murphy, daughter of Senator Murphy of New York took place at the residence of the bride's parents, corner of Seventeenth and K streets, today.

Cardinal Gibbons had granted a special dispensation allowing the ceremony to take place at the home, instead of the church, as the bride desired to avoid the publicity incident to a church wedding. For the same reason the calling of the banns was omitted.

Except for the limited number of people present, the surroundings of the wedding were on a splendid scale. The spacious house was superbly decorated.

**TURF TOPICS.**  
Fantasy is the coming reality.

Quebec contemplates building a new trotting track.

Norfolk claims to be the largest horse market in the south.

Denver is to have "shadow dance" racing, or racing by electric light, if plans of a new company carry.

The directors of the Ontario Jockey club have decided not to receive the entries of horses that have run on outlawed tracks.

Orrin Hickok is training a filly that he believes will make a star performer. She is by Stamboul, out of the dam of Hulda, 2:08 1/2.

The Pacific Coast Trotting Horse Breeders' association rules that a trotter converted to pacing is not eligible to start in any class lower than his trotting record.

Wild Man From Borneo, this year's Grand National steeplechase winner, is described as "a bad horse at two miles, moderate at three, but after that distance useful."